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UZBEKISTAN: Tashkent church to lose its building – and its legal status?

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Eight years after the Grace Presbyterian Church in the capital Tashkent bought a former cinema to use as its church, the city department of the State Property Committee wants to annul the sale, Protestants have told Forum 18 News Service. The case is due to be heard at Tashkent Economic Court on 5 September. On 13 August, "without warning", Justice Ministry officials arrived for a check-up on the church's activity. If "violations" are found, the church could be stripped of legal status and thus the right to conduct any religious activity. The church also faces pressure from local residents. "The aim of the check-up was to strip the church of its registration," one Protestant told Forum 18. "At the moment it is still registered and can still function," a Justice Ministry official told Forum 18. He would not say what prompted the decision to check up on the church. Meanwhile, police have launched a manhunt for Protestant Christian Makset Djabbarbergenov, who went into hiding after a criminal case was launched against him in early August to punish him for his religious activity. If convicted he faces up to six years' imprisonment.

Members of the Grace Presbyterian Church in the capital Tashkent fear the authorities are trying to strip it of its state registration – and thus the ability to conduct any religious activity at all – and seize its building, Protestants who preferred not to be identified for fear of reprisals told Forum 18 News Service from Tashkent. The church began a time of prayer and fasting in response to the new pressures. In a separate case, police have launched a manhunt for Protestant Christian Makset Djabbarbergenov, who went into hiding after a criminal case was launched against him in early August to punish him for his religious activity. If tried and convicted, he faces up to six years in prison.

Grace Church – which is led by Pastor Felix Li – bought a former cinema in Tashkent's Khamza District in April 1999 from the city department of the State Property Committee. However, on 24 July the same department lodged a suit at the city's Economic Court to have the sale annulled. Local Protestants described the move to Forum 18 as "illegal".

Then on 13 August, "without warning", Justice Ministry officials arrived for a check-up on the Church's financial activity – and whether its activity as a whole is in accordance with the Church's statute. The check-up was led by Akbarhon Nabiraev, head of a department within the Justice Ministry's Administration for Social and Religious Organisations. Also present were two officials of the Tashkent city Justice Department. "The aim of the check-up was to strip the church of its registration," one Protestant told Forum 18 from Tashkent in the wake of the check-up.

The official who answered Nabiraev's telephone at the Justice Ministry on 30 August said he was away until 3 September. A senior consultant in the same department Umid Shadiev, who also took part in the check-up, declined to speak to Forum 18. However, another official who would not give his name said that the investigation of the church's activity is still underway.

The official insisted to Forum 18 that check-ups on the activity of religious organisations are carried out in accordance with the law. He stressed that if violations of the law or "inadequacies" are found, a religious organisation can be liquidated by a court. "In this case, the investigation is proceeding and if any violations are found the organisation will be given time to respond," he told Forum 18. "It is possible violations will not be found. At the moment it is still registered and can still function." He would not say what had prompted the decision to check up on the Grace Church.

The official who answered the telephone on 30 August at the government's Religious Affairs Committee, who refused to give his name, told Forum 18 that Committee chairman Artyk Yusupov was in a meeting. However, the official said the Committee was declining absolutely to answer any questions about the Grace Church.

The case over the ownership of the church's building is due to be heard at Tashkent's Economic Court on the morning of 5 September, the court chancellery told Forum 18 on 30 August. "Two earlier hearings were scheduled but were postponed when the respondent failed to turn up."

Forum 18 has been unable to find out what complaints the city department of the State Property Committee has against the original purchase of the former cinema back in 1999 and why it has decided to act eight years later. The telephone of Irina Zorina, the legal

specialist at the department, went unanswered on 30 August.

Grace Church has been facing mounting pressure from the authorities and from local people. One Protestant speculated to Forum 18 that the protests from local residents had been stirred up by nearby resident Salimbai Abduvaliev, a former wrestler and current head of Uzbekistan's wrestling federation and a rich man reputed to have links with gangsters. His elder brother, Ortik Abduvaliev, a retired police officer, is head of the local mahalla (city district).

Meanwhile, sources told Forum 18 on 26 August that "wanted" posters have gone up across Uzbekistan as police hunt for Makset Djabbarbergenov, a Protestant from Nukus in the north-western region of Karakalpakstan [Qoraqalpoghiston]. Protestants who preferred not to be identified for fear of reprisals told Forum 18 that Djabbarbergenov went into hiding to avoid arrest on criminal charges to punish him for his religious activity.

Djabbarbergenov - whose wife is eight months' pregnant with their third child – faced criminal charges earlier this year. The charges were filed in the wake of a 15 January police raid on a Protestant-owned private home in Nukus. However, these were later downgraded to charges under the Code of Administrative Offences. Another Protestant detained during the raid, Salavat Serikbayev, was given a two-year suspended sentence in May and forced to pay 20 per cent of his wages to the state. However, Serikbayev's sentence was later reduced to one year (see F18News 20 June 2007 http://www.forum18.org/Archive.php?article_id=977).

On the morning of 9 August, some 30 police officers and prosecutor's office officials raided Djabbarbergenov's Nukus home. "They illegally burst into his home with video-cameras," one Protestant told Forum 18. Armed with a warrant from city prosecutor A. Ismetov, they searched the house and confiscated a computer, fax machine, scanner and printer, as well as about 200 copies of various Christian books. Protestants insisted to Forum 18 that the books had been imported legally into Uzbekistan. In addition, Christian videotapes and CDs were seized, as well as money and Djabbarbergenov's passport.

Protestant sources insisted to Forum 18 that the search was illegal as at that time, no criminal case had been launched against Djabbarbergenov. The raid was led by the deputy head of the town police, T. Kutibaev. Also taking part was Umirbai Khudaibergenov, an assistant to the town's prosecutor who had led the case against Djabbarbergenov in January.

A 9 August document authorising the raid, of which Forum 18 has received the text, notes that it was taking place in the framework of a government-ordered "anti-terror" operation. It reports that "illegal" religious activity was taking place in Djabbarbergenov's home. It noted that Djabbarbergenov refused to sign the document.

In the wake of the raid, a criminal case was started under Article 216-2, which punishes "violation of the laws on religious organisations", and Article 229-2, which punishes "violation of the procedure for teaching religion". For those found guilty, both articles prescribe a sentence of up to three years' imprisonment.

When Forum 18 asked for Khudaibergenov at the Nukus prosecutor's office on 30 August, the man to whom the phone was passed told Forum 18 that he was not there and put the phone down.

Religious activity is particularly difficult in Karakalpakstan. The regional authorities have banned the activity of all non-Muslim and non-Orthodox religious communities by denying them official registration. Under Uzbekistan's harsh laws on religion – and in defiance of the country's international human rights commitments – all unregistered religious activity is illegal and punishable under the Criminal and Administrative Codes. Protestants, Jehovah's Witnesses and Hare Krishna devotees have faced particular persecution in Karakalpakstan. Protestant students in the regional capital Nukus have long been singled out for pressure (see F18News 5 May 2006 http://www.forum18.org/Archive.php?article_id=774).

Among other recent harassment of religious minorities, a criminal case was launched against Baptist leader Nikolai Zulfikarov after his church in a small town in Namangan Region was raided on 29 July and 5 August. If the case goes to trial and he is found guilty under Article 216 of the Criminal Code, which punishes "illegal organisation of a social or religious organisation", he could face five years' imprisonment (see F18News 24 August 2007 http://www.forum18.org/Archive.php?article_id=1010).

Pressure is also mounting on Jehovah's Witnesses, whose last registered congregation in Uzbekistan faces being stripped of legal status (see F18News 21 August 2007 http://www.forum18.org/Archive.php?article_id=1009). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=777.

Full reports of the religious freedom situation in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE)

area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>

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